Remarks

In the office action, the disclosure was objected to for informalities. Claim 7 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1, 2, 4, and 6 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication No. 2003/0124254 to McCoy et al. ("McCoy et al.") in view of U.S. Patent No. 4,810,540 to Ellison et al. ("Ellison et al."). Claim 3 was rejected under U.S.C. § 103(a) as being obvious over McCoy et al. in view of Ellison et al. and further in view of U.S. Patent No. 6,6801,104 to Boris et al. ("Boris et al."). Finally, claims 5 and 7-9 were rejected under 35 U.S.C. § 103(a) as being obvious over McCoy et al. in view of Ellison et al. and further in view of U.S. Patent No. 6,132,864 to Kiriazis et al. ("Kiriazis et al.").

In this response, Applicants have amended paragraphs [0001] and [0027] of the specification and have amended claim 7. Claims 1-9 continue to be pending in this application. In view of the amendments and the following remarks, Applicants respectfully request withdrawal of the objections to the specification and the rejections to claims 1 and 9.

A. Objections to the Specification:

The disclosure was objected to for including a typographical error in the filing date for the priority document in paragraph [0001], for the incorporation by reference to a foreign application, and for including reference number 7 in paragraph [0027] of the text to refer to both the first paint layer and the second paint layer.

Applicants have amended paragraph [0001] to change "2003" to --2004-- and to remove the incorporation by reference of the priority document. Applicant has also amended paragraph [0027] of the specification to change reference numeral "7" to reference numeral --9-- to refer to the second paint layer so as to make clear that the "thickness of up to 20 μm" refers to second paint layer 9.

Applicants thank the Examiner for pointing out the errors and respectfully request withdrawal of the objections to the specification.

B. Rejection under 35 U.S.C. § 112, Second Paragraph:

Claim 7 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for being incomplete.

Applicants have amended claim 7 to delete the last word "and" and to add a period.

Withdrawal of the rejection to claim 7 under 35 U.S.C. § 112, second paragraph is respectfully requested.

C. Rejections under 35 U.S.C. § 103:

Claims 1, 2, 4, and 6 were rejected under 35 U.S.C. § 103(a) as being obvious over McCoy et al. in view of Ellison et al. and claim 3 was rejected under 35 U.S.C. § 103(a) as being obvious over McCoy et al. in view of Ellison et al. and further in view of Boris et al. Finally, claims 5 and 7-9 were rejected under 35 U.S.C. § 103(a) as being obvious over McCoy et al. in view of Ellison et al. and further in view of Kiriazis et al.

McCoy et al. describes a method and apparatus of making decorative sheet material whereby complex multi-layer films are produced using a wet on wet process.

Ellison et al. describes a flexible decorative sheet material for use in surfacing automobile body panels having the appearance of a base coat/clear coat paint finish. The material includes a substantially transparent outer layer and a pigmented coating on the undersurface of the outer layer which is visible through the outer layer.

Boris et al. describes a decorative wrapping film for application to a three-dimensional substrate including a polyester layer coated on its outside surface with a decorative layer and a protective layer is coated on the outside layer of the decorative layer.

Kiriazis et al. describes films coated with two or more coats and used in automobile manufacturing.

Claim 1 recites a "process for producing a pigmented paint layer of a dry-paint film for application to a component, the dry-paint film including a support material and at least one pigmented paint layer". The process includes the following steps:

> applying a first layer to the support material having a first dry layer thickness of between 10 and 50 μm by at least one of knife coating, rolling, pouring or printing; and
>
> applying a second layer having a second dry layer thickness to the first layer by atomization, wherein the first dry layer thickness is greater than the second dry layer thickness by a factor of from 3 to 5.

Applicants respectfully submit that the combination of McCoy et al. and Ellison et al. does not teach or suggest all of the elements of amended claim 1. Specifically, neither reference

suggests the limitation that "the first dry layer thickness is greater than the second dry layer thickness by a factor of from 3 to 5." As described in the Applicant's specification, for example at paragraph [0010], "a very thin" second layer achieves an optical effect that is comparable with that of conventional automotive finishes applied directly onto the vehicle body and avoids the disadvantageous optical effects of known dry-paint films. See also, for example, paragraph [0006]. Applicants submit that claimed combination of steps is not suggested by either or both of the cited reference and would not have been obvious to a person of ordinary skill in the art.

As pointed out by the Examiner, McCoy et al. teaches that each of the first and second coats can each fall within a broad range of 0.3 to 3 mils (.75 to 75 microns). From that disclosure, the Examiner shows that it is theoretically possible to select a thickness for each coat that is within those broad ranges and still achieve the claimed ratio of thicknesses. However, McCoy et al. provides no suggestion to a person of skill for making such a selection and does not discuss *relative* thicknesses between the two coats at all. Nor does McCoy address any advantages or disadvantages of providing a thinner second coat over a thicker first coat. In fact, the only suggestion found in McCoy et al. for the relative thicknesses of the layers is provided in the drawings, which either show the two coats having substantially the same thicknesses or show the thickness of the second coat as being greater than the thickness of the first coat (adjacent a support material). Thus, McCoy et al. not only fails to suggest the specific thickness ratios recited in claim 1, but does not even suggest the concept that the second coat be substantially thinner than the first coat. Moreover, McCoy et al., which also teaches that both coats are applied using a slot/dye coater, and does not teach applying the second coat by atomization, does not recognize any benefit for adjusting the relative thicknesses of the coats.

Moreover, when combined with Ellison et al. the combination of references suggest that relative thicknesses of the layers is in the opposite direction as the recited ratio recited in claim 1. Claim 1 requires that the first layer have a thickness that is 3 to 5 times *greater than* that of the second layer. By contrast, Ellison et al. expressly teaches a preference that the fist layer 12 have a thickness that is *less than* that of the second layer 11, instead of the other way around. See Ellison et al., column 2, lines 6-8. See also, Figs. 1 and 2.

Thus, Applicants submit that there neither McCoy et al. nor Ellison et al. provide any suggestion for the specific thickness ratio recited in claim 1. Moreover, Boris et al. nor Kiriazis et al. also provide any suggestion for that missing element.

Accordingly, withdrawal of the rejections to independent claim 1 and to dependent claims 2-9 is respectfully requested.

CONCLUSION

For at least the reasons stated above, Applicant requests withdrawal of the rejections to the pending claims. It is respectfully submitted that the application is now in condition for allowance. Should the Examiner feel that an interview would advance prosecution of the present application, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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